

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF SOUTH CAROLINA**

In Re: _____) Case Number 21-02909-HB
The Muffin Mam, Inc, _____) Chapter 7
Debtor. _____)

APPLICATION BY TRUSTEE TO EMPLOY AUCTIONEER/SALES AGENT

TO THE HONORABLE HELEN ELIZABETH BURRIS,

Comes now John K. Fort, Trustee for the above-captioned estate, and would respectfully show the Court as follows:

1. Applicant is duly appointed and acting as Trustee in the above-captioned case.
2. The Debtor's estate contains certain assets, which in the judgment of the Trustee, will benefit the Estate if liquidated. Said assets to include, but are not limited to:

All real and personal property whether disclosed or not disclosed on the debtor's schedules
3. Trustee has selected Terry Howe & Associates, Inc., 4328 Wade Hampton Blvd., Suite G, Taylors, SC 29687, Telephone Number 864-268-4399 to conduct the liquidation and perform those duties required in the course of such liquidation. Pursuant to the attached Professional's Affidavit of Proposed Professional, Terry Howe & Associates, Inc. has no connection with or relation to the Debtor, Debtor's Creditors, any other party in interest, their respective Attorneys and Accountants, other professionals appointed in this case by the Applicant, the United States Trustee, or any employee of the United States Trustee pursuant to Bankruptcy Rule 2014(a), except that Terry Howe & Associates, Inc. has previously been employed and is currently employed by the Trustee as well as other panel Trustees in this District. Trustee believes this employment is in the best interest of the estate.

4. Trustee agrees to pay the Auctioneer/Sales Agent on the sale of said property based upon the following commission scale:

Real Property:

Private Sale - 10% of all monies received
Public Auction - 15% of the bid price

Non-Real Property:

Private Sale - 20% of all monies received
Public Auction - 20% of the bid price

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5. Auctioneer/Sale Agent's expenses in connection with the liquidation of said assets shall not exceed the aggregate sum of \$25,000.00. The Trustee is informed substantial clean up may be required so this is a very rough, early, estimate.

6. Auctioneer/Sales Agent is aware of 11 U.S.C. Section 330(a) and has agreed, notwithstanding the terms and conditions of employment herein set forth, that the Court may allow compensation different from the compensation provided herein.

WHEREFORE your Applicant prays that he be authorized to employ Terry Howe & Associates, Inc. as Auctioneer/Sales Agent; that the rate of compensation and limitation on expenses for said Auctioneer/Sales Agent be as specified above; that said Auctioneer/Sales Agent be allowed to deduct and retain his compensation and expenses from the liquidation prior to the remittance of the net proceeds to the Trustee; and for such other and further relief as may be just and proper.

Dated: November 10, 2021

/s/ John K. Fort

John K. Fort, Trustee
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